IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

(SPECIAL ORIGINAL JURISDICTION)

THURSDAY, THE TWENTY SEVENTH DAY OF NOVEMBER,
TWO THOUSAND AND THREE

: PRESENT :

THE HON'BLE MR. DEVINDER GUPTA, THE CHIEF JUSTICE

AND

THE HON'BLE MS. JUSTICE: G. ROHINI

W.P. No. 23553 AND 23436 of 2003

W.P. No. 23553 of 2003:

Between:

M. Vani — Petitioner

AND

1. The District Judge, Medak at Sangareddy
2. The Registrar (Administration),
   High Court of Andhra Pradesh, Hyderabad

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus or any other appropriate writ, directing the 1st respondent to re-notify the posts of Steno-Typist, Junior Assistants, Examiners and Typists strictly in accordance with G.O.Ms. No.336, General Administration [Service-A] Department, dated 30-07-2002 and in the light of Judgment of this Hon'ble Court in W.P.No.8969 of 2002 dated 14.8.2002 but not with go head to the process of recruitment for the post of Steno Typist pursuant to the Notification No.5605 dated 1.10.2003 or it is alternatively prayed that this Hon'ble Court may be pleased to direct the first respondent to receive and consider the application of the petitioner dated 11.10.2003 by treating 33 years as upper age limit for the post of Steno-typist and Typist by not restricting the upper age limit for the said post to 28 years.

FOR THE PETITIONER: MR. S.R. SANKU, ADVOCATE
FOR THE RESPONDENTS: MR. C.V. NAGARJUNA REDDY, ADVOCATE

W.P. No. 23436 of 2003:

Between

Talatam Srinivasa Rao — Petitioner

AND

1. The Registrar (Administration), High Court of AP, Hyderabad
2. The District Judge, E.G. District at Rajahmundry

Respondents

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus, or any other appropriate writ, order or direction, declaring the action of the 2nd respondent in fixing the maximum age limit of 28 years in Notification dated 1-10-2003 without taking into consideration of the order of the Government of G.O.Ms.No.336 GA (Ser.A) Department dated 30-7-2002 for appointment to the

category of posts of L.D. Clerks in A.P. Judicial Ministerial Services in the unit of District Judge, East Godavari, as illegal, arbitrary and violative of the rules contemplated under G.O.Ms. No. 336 dated 30-7-2002 and for a consequential order directing the 2nd respondent to permit the petitioner to sit for the examination by accepting his application for post of L.D. Clerk in A.P. Judicial Ministerial services in the unit of District Judge, East Godavari District.

FOR THE PETITIONER: MR. T.S.N. MURTHY, ADVOCATE
FOR THE RESPONDENTS: MR. C.V. NAGARJUNA REDDY, ADVOCATE

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The Court made the following

ORDER:

" Petitioners are seeking the benefit of G.O.Ms. No. 336 dated 30-7-2002 and G.O.Ms.No. 342 dated 2-8-2002 issued by Government of Andhra Pradesh, urging that the upper age limit for direct recruitment ought to be taken as 33 years instead of 28 years even with respect to recruitment under the Andhra Pradesh Judicial Ministerial Service Rules.

Learned counsel for respondents submits that in view of Rule 2(2) of A.P. Judicial Ministerial Service Rules, Parts I and II of Andhra Pradesh State and Subordinate Service Rules shall not apply to A.P. Judicial Service and there is no corresponding rule made in Rule 19 thereof.

Learned counsel for petitioners submits that except for Judicial Ministerial service, the said G.O.s are being applied for the services even in High Court. They also make reference to a decision of the Division Bench in W.P. 8869 of 2002. Of Course, in the said decision, effect of Rule 2(2) of A.P. Judicial Ministerial Service Rules was not considered.

Learned counsel for respondents would like to have instructions as to whether the G.O.s are being adhered to in other services, other than Judicial Ministerial Service.

Post tomorrow."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The District Judge, Medak at Sanga Reddy **(BY SPEED POST)**
2. The District Judge, E.G. District at Rajahmundry **(BY SPEED POST)**
3. The Registrar (Administration), High Court of AP, Hyderabad
   (BY SPECIAL MESSENGER)
4. The Section Officer, Legal Cell, High Court of AP, Hyderabad
   (BY SPECIAL MESSENGER)
5. Mr. C.V. Nagarjuna Reddy, Advocate, High Court of AP, Hyderabad
   (BY SPECIAL MESSENGER)
6. Two Spare Copies

MSR

HIGH COURT

DATE: 27-11-2003

ORDER

W.P.Nos. 23553 & 23436 of 2003

DIRECTION

HIGH COURT

DRAFTED BY: MSR
DRAFTED ON: 27-11-2003

HCJ & RGJ

DATE: 27-11-2003

ORDER

W.P.Nos. 23553 and 23436 of 2003

DIRECTION